## AC v3

### Framework

#### The standard is consistency with agonistic democracy.

**1] Ethical deduction fails and political questions are undecidable – individuals instead construct systems of meaning and value from their own perspective.**

\* I feel like this is better than Kripke – the obvious response to that is “we’ve socially decided that the sequence means add 2 and would agree, so deliberative consensus is possible” but I’m open to replacing it.

\* The worry is that it’s too radical – it might be the case that argument can’t solve on this view, but that’s also probably true of Kripke, and idk if it would concern Mouffe

**Parrish**, Rick. "Derrida's economy of violence in Hobbes' social contract." Theory & Event 7.4 (2005).

The point, as Richard Beardsworth (one of Derrida’s most noteworthy commentators) explains, is that “**a decision is always needed because there is no natural status to language, and** that **given this irreducibility** of a decision, **there are different** kinds of **decisions** — those that recognize their legislative and executive force and those which hide it under some claim to naturality qua ‘theory’ or ‘objective science’.”22 In the first case the person recognizes and embraces its status as a creator of meaning, but in the second case the person more closely resembles Nietzsche’s scientific ascetic who, while still a person and thus a creator, denies his nature and instead claims to discover fact. But in either event, **a person** “**is always** . . . a legislator and policeman,”23 a **creator and subsequent enforcer of its creations of meaning and value.** So for Derrida, any discursive positioning is the outcome of an ordeal of the undecidable that is itself necessary because there is no objective, transparently discoverable truth. Rather, persons exist as the choosers, the creators, of discursive positionality (meaning; value). Violence is then the unavoidable denial of the other as a source of meaning independent of oneself. Derrida argues that both pure violence and pure non-violence are paradoxical, but before explaining this point I shall lay out why Hobbes agrees that humans are the creators of meaning and value, and proceed from there. Perhaps the single most telling quote from Hobbes on this point comes from The Philosophical Rudiments Concerning Government and Society (usually known by its Latin name, De Cive), in which he states that “to know truth, is the same thing as to remember that it was made by ourselves by the very usurpation of the words.”24 “For Hobbes truth is a function of logic and language, not of the relation between language and some extralinguistic reality,”25 so the “**connections between names and objects are not natural**.”26 **They are artificially constructed by persons, based on individual** psychologies and **desires**. These individual desires are for Hobbes the only measure of good and bad, because value terms “are ever used with relation to the person that useth them, there being nothing simply and absolutely so, nor any common rule of good and evil to be taken from the nature of the objects themselves.”27 Since “there are no authentical doctrines concerning right and wrong, good and evil,”28 **these labels are** placed upon things by humans in **acts of creation rather than discovered as extrinsic facts.**

**But, the resolution is a question of politics – the ultimate end of politics is enabling individuals to live together in a society. This contradiction dooms theories of deliberative democracy but doesn’t destroy the possibility of democratic politics altogether: the solution is agonism.**

Chantal **Mouffe 10**, political theorist, 7-25-2010, "Chantal Mouffe: Agonistic Democracy and Radical Politics," Pavilion #15, http://pavilionmagazine.org/chantal-mouffe-agonistic-democracy-and-radical-politics/

I myself argue that **only by taking account of the political in its dimension of antagonism can one grasp the challenge democratic politics must face. Public life will never be able to dispense with antagonism for it concerns public action and** the formation of **collective identities. It attempts to constitute a ‘we’ in a context of diversity and conflict. Yet,** in order **to constitute a ‘we’, one must distinguish it from a ‘they’.** Consequently, **the crucial question of democratic politics is** not to reach a consensus without exclusion which would amount to creating a ‘we’ without a corollary ‘they’ but **to manage to establish the we/they** discrimination **in a manner compatible with pluralism.** ¶ According to the ‘agonistic pluralism’ model that I developed in The Democratic Paradox (London: Verso, 2000) and On the Political (London: Routledge, 2005), **pluralist democracy is characterised by the introduction of a distinction between the categories of enemy and adversary. This means** that **within the** ‘we’ that constitutes the **political community, the opponent is not** considered **an enemy to be destroyed but an adversary whose existence is legitimate.** His **[Their] ideas will be fought with vigour but [their]**his **right to defend them will never be questioned. The category of enemy** does not disappear, however, for it **remains** pertinent **with regard to those who,** by **question**ing **the** very **principles of pluralist democracy, cannot form part of the agonistic space.** With the distinction between antagonism (friend/enemy relation) and agonism (relation between adversaries) in place, we are better able to understand why the **agonistic confrontation**, far from representing a danger for democracy, **is** in reality **the very condition of its existence.** Of course, democracy cannot survive without certain forms of consensus, relating to adherence to the ethico-political values that constitute its principles of legitimacy, and to the institutions in which these are inscribed. But it must also enable the expression of conflict, which requires that citizens genuinely have the possibility of choosing between real alternatives.

#### This outweighs: A. the validity of other moral norms is determined through pluralism so my framework provides a mechanism for resolving moral uncertainty B. deduces the nature of a political community, which outweighs because the resolution asks us a practical question about what to do within a hegemonic sphere. C. Other frameworks devolve to mine because you use the aff framework to arrive at yours.

#### 2] Violence is necessary and inevitable – ethical theories must organize rather than inhibit it, since otherwise we could conceptualize nothing at all, doing even greater violence.

**Hagglund**, Martin. 2006. “The Necessity of Discrimination: Disjoining Derrida and Levinas.” diacritics 34 (1): 40–71.

The utopian dream of peace pervades Cornell's book and is symptomatic of her misconception of the deconstructive thinking of alterity. As I have argued, **the notion of a nonviolent relation to the other is based on a suppression of alterity, since it must presuppose that the other is not violent in** its **[re]turn and consequently denies the radical unpredictability of the other**. Only if one assumes that the other is primarily peaceful does it 5 sense to prescribe a nonviolent relation, since the command to "respect" the alterity of the other does not make any sense if the other wants to destroy me. More? over, **the dream of a community without violence is the dream of a community in which there would be nothing other than peace, excluding anyone or anything that does not want to engage in the "ethical" relation. Hence, the supposedly ethical dream is unethical on its own terms, since it dreams of eliminat[es]ing the susceptibility to radical alterity, which cannot be dissociated from the susceptibility to violence and the concomitant attempts to combat it.** It is only by coming to terms with the deconstructive "logic" of violence that one can assess the ethico-political significance of deconstruction**. The deconstructive logic of violence does not prevent one from criticizing social injustices or any other forms of violence, but it exposes the internal contradictions of the doctrines that hold it to be desirable to eliminate exclusion once and for all. Discrimination is a constitutive condition.** The negotiation of it cannot be governed by a regulative idea or harbor any assurance of its own legitimacy. For precisely this reason **it will always be urgent to reflect on ethico-political questions, to work out strategies for a "lesser violence" that is essentially precarious.** Those who, like Levinas, proceed from metaphysical premises of how things ought to be will in one way or another attempt to deny this predicament for the benefit of one ideal or another. But the argument here is that one thereby blinds oneself to the condition that makes responsibility possible, while at the same time making it impossible to sustain the metaphysical values and ethico-theoretical decisions by which Levinas lets himself be guided.

#### The solution is agonism—Mouffe indicates that agonism constructs polity despite pluralism’s infinite violence—it rechannels the violence into productive channels.

#### 3] Only a radical democracy that constantly questions its own foundations can ever be open to radical revision – other systems insist on their own foundation and can’t accommodate changing views that make them exclusionary or illegitimate. The aff is a better model for constructing a political institution that must secure its own legitimacy over time and to changing groups of citizens. And, public college and universities cannot restrict free speech: people can say whatever they want regardless of what school policies say. That means you affirm on face because colleges and universities ought not restrict free speech because they can’t. Controls the internal link to other evaluative mechanisms: agonism makes it possible to implement them AND be receptive of the demands of justice to come, which is also a net benefit.

#### 4] Indeterminacy: rules can’t secure their own application – applying a norm to new situations is indeterminate. We understand a rule through a limited series of past applications, but when in a new situation, the past examples don’t tell us what to do: if you see the sequence 2, 4, 6 then you might think the next number is 8 or 10 based on different possible rules. You could try to explain what you mean, but all language is defined by social rules built on past usage – there’s no secure foundation.

**Impacts:**

**A. No ethical deduction can settle our conflicts, even when our beliefs are inclusive and deeply held. Consensus is a contingent achievement of political dialogue, and cannot be prescribed in advance.**

**B. Only agonism accounts for the diversity of interpretations of our norms. Democratic citizenship has diverse forms, none of which can be privileged a priori. There cannot be external judgments on what is good or bad interpretation of norms, so my framework resolves it.**

**Lastly, agonism is the best mode of inclusion and outweighs exclusionary attitudes within the agon. This is also true of switch-side debate too – this model resists fundamentalism and helps change people’s minds.**

**Harrigan 8** (Casey, Associate Director of Debate at UGA, Master’s in Communications – Wake Forest U., “A Defense of Switch Side Debate”, Master’s thesis at Wake Forest, Department of Communication, May, pp.43-45

The relevance of argumentation for advancing tolerant politics cannot be underestimated. The **willingness to be open to alternative views has a material impact on difference** in at least two primary ways. First, the **rendering of a certain belief as “off limits” from debate** and the prohibition of ideas from the realm of contestation **is** conceptually **indistinct from the physical exclusion of people from societal practices**. Unlike racial or gendered concerns, certain groups of **people** (the religious, minority political parties, etc.) **are defined** almost exclusively **by the arguments that they adhere to. To deem these views unspeakable** or irrelevant **is to** functionally **deny whole groups of people access to public deliberation**. Second, **argument**, as individual advocacy, is an expression of belief. **It has the potential to persuade members of the public to** either **support or oppose progressive politics.** Belief itself is an accurate indicator of the way individuals will chose to act—with very real implications for openness, diversity and accommodation. Thus, as a precursor to action, argument is an essential starting point for campaigns of tolerance. Argumentative pluralism can be defined as the proper tolerance for the expression of a diversity of ideas (Scriven 1975, p. 694). Contrary to monism, pluralism holds that there are many potential beliefs in the world and that each person has the ability to determine for himself or herself that these beliefs may hold true. Referring back to the opening examples, a pluralist would respect the right for the KKK to hold certain beliefs, even if he or she may find the group offensive. In the argumentative context, pluralism requires that participants to a debate or discussion recognize the right of others to express their beliefs, no matter how objectionable they may be. The key here is expression: although certain beliefs may be more “true” than others in the epistemic sense, each should have equal access (at least initially) to forums of deliberation. It is important to distinguish pluralism from its commonly confused, but only loosely connected, counterpart, relativism. To respect the right of others to hold different beliefs does not require that they are all considered equal. Such tolerance ends at the intellectual level of each individual being able to hold their own belief. Indeed, as Muir writes, “It [pluralism] implies neither tolerance of actions based on those beliefs nor respecting the content of the beliefs” (288). Thus, while a pluralist may acknowledge the right for the Klan to hold exclusionary views, he or she need not endorse racism or anti-Semitism itself, or the right to exclude itself. Even when limited to such a narrow realm of diversity, argumentative pluralism holds great promise for a politics based on understanding and accommodation that runs contrary to the dominant forces of economic, political, and social exclusion. **Pluralism requires that individuals acknowledge opposing beliefs and** arguments **by forcing an understanding that personal convictions are not universal.** Instead of blindly asserting a position as an “objective Truth,” advocates tolerate a multiplicity of perspectives, allowing a more panoramic understanding of the issue at hand (Mitchell and Suzuki 2004, p. 10). In doing so, the advocates frequently understand that there are persuasive arguments to be had on both sides of an issue. As a result, instead of advancing a cause through moralistic posturing or appeals to a falsely assumed universality (which, history has shown, frequently become justifications for scape-goating and exclusion), these proponents become purveyors of reasoned arguments that attempt to persuade others through deliberation. **A clear example** of this **occurs in competitive academic debate**. Switch-side debating has profound implications for pluralism. Personal convictions are supplemented by conviction in the process of debate. Instead of being personally invested in the truth and general acceptance of a position, debaters use arguments instrumentally, as tools, and as pedagogical devices in the search for larger truths. Beyond simply recognizing that more than one side exists for each issue, switch-side debate advances the larger cause of equality by fostering tolerance and empathy toward difference. Setting aside their own “ego-identification,” **students** realize that they **must listen and understand their opponent’s arguments well enough to become advocates on behalf of them in future debates** (Muir 1993, p. 289). Debaters assume the position of their opponents and understand how and why the position is constructed as it is. **As a result, they often come to understand that a strong case exists for opinions that they previously disregarded.** Recently, advocates of **switch side debating** have taken the case of **the practice** a step further, arguing that it, “**originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes**” (English, Llano, Mitchell, Morrison, Rief and Woods 2007, p. 224). Debating practices that break down exclusive, dogmatic views may be one of the most robust checks against violence in contemporary society.

**Impacts:**

**A. The role of the ballot is to evaluate post-fiat offense through the lens of the framework. Turns and outweighs all other role of the ballot since we benefit by inculcating those attitudes, for which agonism is best.**

**B. Coopts the prefiat layer – the arguments for agonistic inclusion apply on both layers, which means instead of appeals to call-out culture, their arguments should be framed in terms of denying the affs claims and proving the rez false.**

### Impact Calc

#### 1. Speech cannot be judged a priori from outside the community – these norms are contingent and not determined in advance. The community may reject particular kinds of speech and we can agree here that they should, but that judgment only aquires normative force in a community.

#### 2. The framework is about the relationships between people with different viewpoints – agonism is about the right to express a viewpoint, not the reaction to it – people rejecting your perspective is fine – it’s the natural conclusion of contestability.

#### 3. Policy consequences aren’t relevant since the framework is a question of the foundation of the political community: the agonistic principle is the necessary right that creates the community, so it cannot act against it.

### Contention

**The struggle for radical democracy must center pedagogy – the democratic sphere is maintained by creating a culture of agents that affirm it.**

Henry A. **Giroux 13,** 12-17-2013, "Henry A. Giroux," Truthout, http://www.truth-out.org/news/item/20669-radical-democracy-against-cultures-of-violence

**Radical democracy is rooted in an acceptance of its historicity and imperfectability, thus demanding** a **constant** measure of self-questioning, **criticism and critical engagement.** Such a democracy implies a refusal of an endpoint, final stage or end of history narrative. Instead, it stresses what Samir Amin has termed "democratization - which stresses the dynamic aspect of a still-unfinished process."[30] Inherent in such a democracy is the need for labor to be subordinate to free time, experienced as a luxury rather than a deprivation, thus demanding a society that provides a social wage, democratized workplaces, egalitarian social services, ecologically sustainable technologies, free education and crucial social provisions. Democracy in this sense embodies an unrelenting fidelity and obligation not to perfectibility but to justice and an endless responsibility, as Jacques Derrida insists, to "the ghosts of those who are not yet born or who are already dead."[31] **Matters of pedagogy must be central to any politics that embraces** a notion of **radical democracy. The agents necessary for** such a **radical democratic politics can only be constructed through a critical formative culture and public pedagogy** produced largely through the media, education and other cultural apparatuses **that enable people to be effective political and ethical agent who can think critically, communicate to broader publics, and will organize collectively to implement and fight for a radical vision of democracy. There is nothing that guarantees** the existence of a sustainable **radical democracy. Democracy** in all of its forms **has to be** fought for, **struggled over**, and such struggles have to be relentless **because** of the possibility that **democracy can never guarantee its own existence.**[32] The struggle against casino capitalism must begin as not only a struggle over power, but as a concerted and widespread attempt to make education central to politics, to address what it means to change the way in which people see things, learn how to govern rather than be governed, and embrace a collective sense of agency in which history and the future is open.

#### Controls the internal link to all K alts and radical politics – the ability to speak out and fight for particular reforms is guaranteed by the agonistic mindset – alternatives shut down the collective ability to communicate to others to advance that agenda.

**Discourse in academic spaces is agonistic – it doesn’t aim at agreement. The principle of academic freedom enables individuals to make their own decisions and makes the university consistent with democratic culture.**

Judith **Butler 13,** 2-7-2013, professor in the Rhetoric and Comparative Literature department at UC Berkeley. She is the author of several books on feminist theory, continental philosophy and contemporary politics, "Judith Butler’s Remarks to Brooklyn College on BDS," Nation, https://www.thenation.com/article/judith-butlers-remarks-brooklyn-college-bds/

**The principle of academic freedom is designed to make sure that powers outside the university**, **including government and corporations**, **are not able to control the curriculum or intervene** in extra-mural speech. It not only bars such interventions, but **it** also **protects** those **platforms in which we might be able to reflect together on the most difficult problems. You can judge for yourself whether or not my reasons** for lending my support to this movement **are good ones. That is,** after all, **what academic debate is about. It is also what democratic debate is about, which suggests that open debate** about difficult topics **functions as a meeting point between democracy and the academy.** Instead of asking right away whether we are for or against this movement, perhaps we can pause just long enough to find out what exactly this is, the Boycott, Divestment and Sanctions movement, and why it is so difficult to speak about this. I am not asking anyone to join a movement this evening. I am not even a leader of this movement or part of any of its governing committee, even though the New York Times tried to anoint me the other day—I appreciated their subsequent retraction, and I apologize to my Palestinian colleagues for their error. The movement, in fact, has been organized and led by Palestinians seeking rights of political self-determination, including Omar Barghouti, who was invited first by the Students for Justice in Palestine, after which I was invited to join him. At the time I thought it would be very much like other events I have attended, a conversation with a few dozen student activists in the basement of a student center. So, as you can see, I am surprised and ill-prepared for what has happened. Omar will speak in a moment about what the BDS movement is, its successes and its aspirations. But I would like briefly to continue with the question, **what precisely are we doing** here this evening**? I presume that you came to hear what there is to be said**, **and** so to **test your preconceptions against what some people have to say, to see whether your objections can be met and your questions answered. In other words, you come here to exercise critical judgment, and if the arguments you hear are not convincing, you will be able to cite them, to develop your opposing view and to communicate that as you wish**. In this way, your **being here** this evening **confirms your right to form and communicate an autonomous judgment**, to demonstrate why you think something is true or not, and you should be free to do this without coercion and fear. These are your rights of free expression, but they are, perhaps even more importantly, your rights to education, which involves the freedom to hear, to read and to consider any number of viewpoints as part of an ongoing public deliberation on this issue. Your presence here, even **your support for the event**, **does not assume agreement** among us. There is no unanimity of opinion here; indeed, **achieving unanimity is not the goal.**

**This outweighs on scope—it creates a cultural spillover where that chills speech.**

**Censorship imperils the conditions of public discourse – it turns speech into a weapon. If we conceive of speech as a potential tool of aggression, we cannot allow for and nurture disagreement. Single-issue PICs all require this shift in mindset, so they fail.**

Judith **Butler 13,** 2-7-2013, professor in the Rhetoric and Comparative Literature department at UC Berkeley. She is the author of several books on feminist theory, continental philosophy and contemporary politics, "Judith Butler’s Remarks to Brooklyn College on BDS," Nation, https://www.thenation.com/article/judith-butlers-remarks-brooklyn-college-bds/

And yet **all of us** here **have to distinguish between the right to listen to a point of view and the right to concur or dissent from that point of view; otherwise, public discourse is destroyed by censorship.** I wonder, what is the fantasy of speech nursed by the censor? There must be enormous fear **behind the drive to censorship,** but also **enormous aggression, as if we were** all **in a war where speech has** suddenly **become artillery. Is there another way to approach language and speech as we think about this issue?** Is it possible that **some other use of words might forestall violence, bring about a general ethos of non-violence, and so enact**, and open onto, **the conditions for a public discourse that welcomes and shelters disagreement, even disarray?**

#### And censorship is an abysmal political strategy,

**First, speech codes are clear policy failures – they don’t decrease bigotry, but they’re used against those they’re seeing to help.**

Conor **Friedersdorf 15**, 12-10-2015, "The Lessons of Bygone Free-Speech Fights," Atlantic, http://www.theatlantic.com/politics/archive/2015/12/what-student-activists-can-learn-from-bygone-free-speech-fights/419178/

He was writing after the University of **Michigan**, the University of **Wisconsin**, **and Stanford implemented speech codes targeted at racist and sexist speech.** These were efforts to respond to increasing diversity on campuses, where a number of students spewed racist and sexist speech that most everyone in this room would condemn. But **those** speech codes **were policy failures. There is no evidence that hate speech or bigotry decreased on any campus that adopted them. At Michigan**, the speech code was analyzed by Marcia Pally, a professor of multicultural studies, who found that “**black students were accused of racist speech in almost 20 cases. Students were punished only twice** under the code’s anti-racist provisions, **both times for speech by or on behalf of blacks.**”

**Second, retargeting – people with the ideologies you want to censor are still out there and use the censorship apparatus against you to advance their aims and suppress your speech.**

Bart **Cammaerts 9**, London School of Economics and Political Science, England, 11-2009, "Radical pluralism and free speech in online public spaces," International Journal of Cultural Studies, http://eprints.lse.ac.uk/27895/1/Radical\_pluralism\_and\_free\_speech\_in\_online\_public\_spaces\_(LSERO).pdf

Internet filtering and monitoring remain technical and policy options when it comes to combating hate speech on the internet. However, active **censorship** in a democracy **tends to backfire**s in several ways. In relation to this case study, it could be argued that democracy might lose out in two ways. **First, anti-democratic forces are able to construct democratic parties and institutions as ‘undemocratic’** on a continuous basic, claiming that they suppress ‘the true thoughts of the people’, **using** in effect **the formal rules of democracy to destroy democratic culture** arguing for a democratic right to be a racist. **Second, how to guarantee that once a regime of content control** online **is in place, it will not be used to silence other voices that at some future moment in time are considered** to be **undesirable by a majority?** And do we really want content on the internet controlled, monitored and filtered on a permanent basis? This is, however, by no means a plea for complacency and/or ignorance, but to carefully think through the implications of intervention to exclude voices from public spaces of communication and interaction all together. Efforts to combat the incitement of hatred through democratic and legal ways should be encouraged, ‘in order to to secure a minimum of civility’ (Rosenfeld, 2001: 63). Exposure in the mainstream media of those that produce such discourses and formal legal complaints by racism watchdogs are important and fairly effective tools for achieving that (except when anonymity is invoked). The embracement of censorship of online content by democratic societies in addition to this, would not only represent crossing the rubicon, but also focuses merely on removing some of the symptoms of racism, not the root causes of it.

Third, **backlash – the attempt to close political space is always imperfect and engenders resistance – censoring speech doesn’t change minds but redirects them – that threatens institutions and leaves supporters less prepared to defend their gains. Resistance to abortion proves.**

Bonnie **Honig 93**, Nancy Duke Lewis Professor in the departments of Modern Culture and Media (MCM) and Political Science at Brown, 4-15-1993, "Political Theory And The Displacement Of Politics," Cornell University Press.

**The perpetuity of contest is not easy to celebrate. My** own **afﬁrmation** of it **is animated**, not by the benighted teleological belief that politically active lives are necessarily fuller or more meaningful than their alternatives, but **by my conviction that the displacement of politics** with law or administration **engenders remainders that could disempower and perhaps even undermine democratic institutions and citizens.** The US. Supreme Court’s recent decision in Planned Parenthood of Southeastern Pennsylvania v. Carey supplied compelling new justiﬁcations for a woman's right to control her sexuality and reproductive freedom, but it also endorsed new restrictions on that right. **When a woman’s right to choose was ﬁrst recognized in** 1973 by a very different Court in **Roe v. Wade, many** citizens **celebrated the** Court‘s **decision as the end of a battle. Those opposed** to the decision, **however, vowed to roll back Roe v. Wade and. nineteen years later, they** have **had great success.**6 **The battle is being refought** in the Court and in the state houses. **Those who thought it was won in 1973 were surprised** by this sequence of events. **Many assumed that, once juridically recognized, the right** to abort a pregnancy **would never be returned to** the space of **political contest. In the past two decades they went on to ﬁght other battles, doing relatively little to mobilize citizens and communities to protect and stabilize this new right, leaving pro-life organizations relatively free to repoliticize and redeﬁne the issues.** In response to the juridical settlement of a woman's right to choose, pro-lifers focused on the fetus and the family and on the relations of obligation and responsibility that tie women to them. Soon abortion became known as baby killing. pro-choice became antifamily, and pregnant single women became icons of danger whose wanton, (literally) unregulated sexuality threatens the safety and the identity of the American family. These identities and identiﬁcations are not stable. But in the absence of resistance to them, they could be stabilized. That realization has energized pro-choice citizens into action in the last few years. and the sites of the battle are proliferating. ¶ These observations are by no means meant to imply that it would be better not to entrench a woman's right to terminate a pregnancy—that is a different debate, one that turns on considerations of political strategy and equal justice. My point is that **there is a lesson to be learned from the experience of those who misread Roe** as the end of a battle **and later found themselves ill equipped and unprepared** to stabilize and secure their still unstable rights **when they were repoliticized and contested by their opponents. In their mistaken belief that the agon had been successfully shut down** by law, **pro-choice citizens** ceded the agon to their opponents and **found**, years later, **that the terms of the contest had shifted against them. Disempowered by their belief that the law had settled the issue without remainder, they failed to engage the concerns of moderate citizens who harbored doubts about the morality of abortion, leaving them and their doubts to be mobilized and radicalized by those who had no doubts about the practice‘s immorality and who were determined to see it outlawed again.**7 ¶ **To afﬁrm the perpetuity of contest is** not to celebrate a world without points of stabilization; it is **to afﬁrm** the **reality** of perpetual contest. even within an ordered setting, and to identify the afﬁrmative dimensions of contestation. It is to see that **the always imperfect closure of political space tends to engender remainders and** that, **if** those remainders are **not engaged, they may return to haunt and destabilize the very closures that deny their existence.** It is to treat rights and law as a part of political contest rather than as the instruments of its closure It is to see that attempts to shut down the agon perpetually fail, that the best (or worst) they do is to displace politics onto other sites and topics, where the struggle of identity and difference, resistance and closure, is then repeated.8 These are the platforms of a virtu) theory of politics

## AC v2

**A community is both defined and destabilized by what it excludes – violence is the constitutive condition of any ethico-political order. We cannot escape that violence and participate even in our attempts to catalogue it. The task of politics is to search for a “lesser violence,” even though that’s never innocent.**

**Hagglund**, Martin. 2006. “The Necessity of Discrimination: Disjoining Derrida and Levinas.” diacritics 34 (1): 40–71.

There is no opposition between undecidability and the making of decisions. On the contrary, Derrida emphasizes that one always acts in relation to what cannot be predicted, that one always is forced to make decisions even though the consequences of these decisions cannot be fi nally established. Any kind of decision (ethical, political, juridical, and so forth) is more or less violent, but it is nevertheless necessary to make decisions. Once again, I want to stress that **violent differentiation by no means should be understood as a Fall, where violence supervenes upon a harmony** that precedes it. **On the contrary,** discrimination has to be regarded as a constitutive condition. **Without divisional marks**—which is to say: without segregating borders—**there would be nothing at all.** In effect, **every attempt to organize life in accordance with ethical or political prescriptions will** have **be**en **marked by** a fundamental **duplicity.** On the one hand, **it is necessary to draw boundaries**, to demarcate, in order **to form any community whatsoever**. On the other hand, it is precisely **because of these excluding borders** that **every** kind of **community is characterized by a** more or less **palpable instability.** What cannot be included opens the threat as well as the chance that the prevalent order may be transformed or subverted. In Specters of Marx, Derrida pursues this argument in terms of an originary “spectrality.” A salient connotation concerns phantoms and specters as haunting reminders of the victims of historical violence, of those who have been excluded or extinguished from the formation of a society. The notion of spectrality is not, however, exhausted by these ghosts that question the good conscience of a state, a nation, or an ideology. Rather, Derridaʼs aim is to formulate a general “hauntology” (hantologie), in contrast to the traditional “ontology” that thinks being in terms of self-identical presence. What is important about the fi gure of the specter, then, is that it cannot be fully present: it has no being in itself but marks a relation to what is no longer or not yet. And since time— the disjointure between past and future—is a condition even for the slightest moment, Derrida argues that spectrality is at work in everything that happens. **An identity or community can never escape the machinery of exclusion**, can never fail to engender ghosts, **since it must demarcate itself** against a past that cannot be encompassed and a future that cannot be anticipated. Inversely, **it will always be threatened by what it cannot integrate** in itself—haunted by the negated, the neglected, and the unforeseeable. Thus, a rigorous deconstructive thinking maintains that **we are always already inscribed in an “economy of violence”** where we are both excluding and being excluded. No position can be autonomous or absolute but is necessarily bound to other positions that it violates and by which it is violated. **The struggle for justice can thus not be a struggle for peace, but only for** what I will call **“lesser violence.”** Derrida himself only uses this term briefly in his essay “Violence and Metaphysics,” but I will seek to develop its significance.12 The starting point for my argument is that **all decisions** made **in the name of justice are made in view of what is judged to be the lesser** violence. If there is always an economy of violence, **decisions of justice cannot be a matter of choosing what is nonviolent.** To justify something is rather to contend that it is less violent than something else. This does not mean that decisions made in view of lesser violence are actually less violent than the violence they oppose. On the contrary, even the most horrendous acts are justifi ed in view of what is judged to be the lesser violence. For example, justifications of genocide clearly appeal to an argument for lesser violence, since the extinction of the group in question is claimed to be less violent than the dangers it poses to another group. The disquieting point, however, is that all decisions of justice are implicated in the logic of violence. **The desire for lesser violence is never innocent, since it is a desire for violence in one form or another, and there can be no guarantee that it is in the service of** perpetrating **the better.**

**Ideal theory and abstract utopianism are self-defeating: we can criticize social injustices but the ultimate question is what sort of institutions organize and channel violence better.**

**Hagglund 2**, Martin. 2006. “The Necessity of Discrimination: Disjoining Derrida and Levinas.” diacritics 34 (1): 40–71.

It is only by coming to terms with the deconstructive “logic” of violence that one can assess the ethico-political significance of deconstruction. **The** deconstructive **logic of violence does not prevent one from criticizing social injustices or** any other forms of **violence, but it exposes the** internal **contradictions of** the **doctrines that hold it to be desirable to eliminate exclusion once and for all.** Discrimination is a constitutive condition. The negotiation of it cannot be governed by a regulative idea or harbor any assurance of its own legitimacy. **For** precisely **this reason it will always be urgent to reflect on ethico-political questions, to work out strategies for a “lesser violence” that is essentially precarious.** Those who, like Levinas, proceed from metaphysical premises of how things ought to be will in one way or another attempt to deny this predicament for the benefit of one ideal or another. But the argument here is that one thereby [ignore] blinds oneself to the condition that makes responsibility possible, while at the same time making it impossible to sustain the metaphysical values and ethico-theoretical decisions by which Levinas lets himself be guided.

**The solution is agonism: a politics that distinguishes the enemy from the adversary by the agonistic principle: the inclusion of all who accept the contestability of their own points of view. This constructs a polity despite the facts of pluralism and violence.**

Chantal **Mouffe 10**, political theorist, 7-25-2010, "Chantal Mouffe: Agonistic Democracy and Radical Politics," Pavilion #15, http://pavilionmagazine.org/chantal-mouffe-agonistic-democracy-and-radical-politics/

I myself argue that **only by taking account of the political in its dimension of antagonism can one grasp the challenge democratic politics must face. Public life will never be able to dispense with antagonism for it concerns public action and** the formation of **collective identities. It attempts to constitute a ‘we’ in a context of diversity and conflict. Yet,** in order **to constitute a ‘we’, one must distinguish it from a ‘they’.** Consequently, **the crucial question of democratic politics is** not to reach a consensus without exclusion which would amount to creating a ‘we’ without a corollary ‘they’ but **to manage to establish the we/they** discrimination **in a manner compatible with pluralism.** ¶ According to the ‘agonistic pluralism’ model that I developed in The Democratic Paradox (London: Verso, 2000) and On the Political (London: Routledge, 2005), **pluralist democracy is characterised by the introduction of a distinction between the categories of enemy and adversary. This means** that **within the** ‘we’ that constitutes the **political community, the opponent is not** considered **an enemy to be destroyed but an adversary whose existence is legitimate.** His **[Their] ideas will be fought with vigour but [their]**his **right to defend them will never be questioned. The category of enemy** does not disappear, however, for it **remains** pertinent **with regard to those who,** by **question**ing **the** very **principles of pluralist democracy, cannot form part of the agonistic space.** With the distinction between antagonism (friend/enemy relation) and agonism (relation between adversaries) in place, we are better able to understand why the **agonistic confrontation**, far from representing a danger for democracy, **is** in reality **the very condition of its existence.** Of course, democracy cannot survive without certain forms of consensus, relating to adherence to the ethico-political values that constitute its principles of legitimacy, and to the institutions in which these are inscribed. But it must also enable the expression of conflict, which requires that citizens genuinely have the possibility of choosing between real alternatives.

**So, the standard is consistency with the agonistic principle. Prefer –**

**1. The framework deduces the nature of the political community, which is a prior question – only by understanding the kind of thing it is can we understand their obligations – different roles have different obligations.**

**2. Only a radical democracy that constantly questions its own foundations can ever be open to radical revision – other systems insist on their own foundation and can’t accommodate changing views that make them exclusionary or illegitimate. The aff is a better model for constructing a political institution that must secure its own legitimacy over time and to changing groups of citizens. Controls the internal link to other evaluative mechanisms: agonism makes it possible to implement them AND be receptive of the demands of justice to come, which is also a net benefit.**

**3. Rules cannot determine their own application: we reason within a framework of language and norms, but how to apply each of those norms in to a new situation is radically indeterminate. Holton provides a mathematical example:**

Holton, Richard. "Meaning and Rule-Following."

The central idea is easily put. **Imagine an individual who makes statements using the sign ‘+’**. For instance, they say **‘14 + 7 = 21’, ‘3 + 23 = 26’. It might be thought** that **they are following the rule that ‘+’ denotes the plus function.** But **consider** the **sums** using ‘+’ that **they have never performed before** (there must be infinitely many of these, since they can only have performed finitely many sums). **Suppose** that **‘68 + 57’** is one such. **Now consider the quus function, which is** stipulated to be **just like the plus function, except that 68 quus 57 is 5. What is it** about the individual **that makes it true** that **they have been** using ‘=’ to **denot[ing]**e the **plus** function **rather than** the **quus** function**?** By hypothesis it cannot be that they have returned the answer ‘125’ to the question ‘What is 68 + 57?’, since they have never performed that sum before. **The immediate response is that the individual meant plus in virtue of** having mastered **some further rule: for instance,** the rule **that**, to obtain the answer to the question ‘What is 68 + 57?’ **one counts out** a heap of 68 marbles, counts out another of 57, combines the two heaps, and then counts **the result. But now reapply the worry.** How can it be known that by ‘count’ the individual did not mean ‘quount’, where, of course, this means the same as ‘count’ except when applied to a heap constructed from two piles, one containing 68 objects, the other containing 57, in which case one correctly quounts the pile if one simply returns the answer 5? **One might** try to **fix the meaning** of ‘count’ **by some further rule; but this will just invite** further worries about what is meant by the words occurring in that rule. Clearly there is a **regress. Any rule that is offered to fix the interpretation of a rule will always be open to further interpretations itself.**

**Impacts:**

**A. No ethical deduction can settle our conflicts, even when our beliefs are inclusive and deeply held. Consensus is a contingent achievement of political dialogue, and cannot be prescribed in advance.**

**B. Only agonism accounts for the diversity of interpretations of our norms. Democratic citizenship has diverse forms, none of which can be privileged a priori.**

**Mouffe 2k**, Chantal. "Wittgenstein, political theory and democracy." The Democratic Paradox 60 (2000): 79.

»Following a rule«, says Wittgenstein, »is analogous to obeying an order. We are trained to do so; we react to an order in a particular way. But what **if one person reacts in one way and another in another** to the order and the training? **Which** one **is right?**« 24 **This** is indeed a crucial **question** for democratic theory. It **cannot be resolved**, pace the rationalists, **by claiming that there is a correct understanding** of the rule **that every rational person should accept.** To be sure, we need to be able to distinguish between »obeying the rule« and »going against it«. But **space needs to be provided for the many different practices** in which obedience to the democratic rules can be inscribed. And this should not be envisaged as a temporary accommodation, as a stage in the process leading to the realization of the rational consensus, but as a constitutive feature of a democratic society. **Democratic citizenship can take many diverse forms and such a diversity**, far from being a danger for democracy, **is** in fact **its** very **condition of existence.** This will, of course, create conflict and it would be a mistake to expect all those different understanding to coexist without clashing. But **this struggle will not be** one **between "enemies" but among "adversaries" since all** participants will **recognize the positions of the others** in the contest as legitimate ones. This type of "agonistic pluralism" is unthinkable within a rationalistic problematic because it, by necessity, tend to erase diversity. Wittgenstein, on the contrary, can help us to formulate it and this is why his contribution to democratic thinking is invaluable.

**Impact Calc**

**1. Speech cannot be judged a priori from outside the community – these norms are contingent and not determined in advance. The community may reject particular kinds of speech and we can agree here that they should, but that judgment only aquires normative force in a community.**

**2. The framework is about the relationships between people with different viewpoints – agonism is about the right to express a viewpoint, not the reaction to it – people rejecting your perspective is fine – it’s the natural conclusion of contestability.**

**3. Policy consequences aren’t relevant since the framework is a question of the foundation of the political community: the agonistic principle is the necessary right that creates the community, so it cannot act against it.**

**Contention**

**The principle of free speech in academic spaces affirms each person’s right to make their own decisions instead of being told what to believe by governmental or corporate interests. It doesn’t aim at agreement but preserves the agon.**

Judith **Butler 13**, 2-7-2013, professor in the Rhetoric and Comparative Literature department at UC Berkeley. She is the author of several books on feminist theory, continental philosophy and contemporary politics, "Judith Butler’s Remarks to Brooklyn College on BDS," Nation, https://www.thenation.com/article/judith-butlers-remarks-brooklyn-college-bds/

**The principle of academic freedom is designed to make sure that powers outside the university**, **including government and corporations**, **are not able to control the curriculum or intervene** in extra-mural speech. It not only bars such interventions, but **it** also **protects** those **platforms in which we might be able to reflect together on the most difficult problems. You can judge for yourself whether or not my reasons** for lending my support to this movement **are good ones. That is,** after all, **what academic debate is about. It is also what democratic debate is about, which suggests that open debate** about difficult topics **functions as a meeting point between democracy and the academy.** Instead of asking right away whether we are for or against this movement, perhaps we can pause just long enough to find out what exactly this is, the Boycott, Divestment and Sanctions movement, and why it is so difficult to speak about this. I am not asking anyone to join a movement this evening. I am not even a leader of this movement or part of any of its governing committee, even though the New York Times tried to anoint me the other day—I appreciated their subsequent retraction, and I apologize to my Palestinian colleagues for their error. The movement, in fact, has been organized and led by Palestinians seeking rights of political self-determination, including Omar Barghouti, who was invited first by the Students for Justice in Palestine, after which I was invited to join him. At the time I thought it would be very much like other events I have attended, a conversation with a few dozen student activists in the basement of a student center. So, as you can see, I am surprised and ill-prepared for what has happened. Omar will speak in a moment about what the BDS movement is, its successes and its aspirations. But I would like briefly to continue with the question, **what precisely are we doing** here this evening**? I presume that you came to hear what there is to be said**, **and** so to **test your preconceptions against what some people have to say, to see whether your objections can be met and your questions answered. In other words, you come here to exercise critical judgment, and if the arguments you hear are not convincing, you will be able to cite them, to develop your opposing view and to communicate that as you wish**. In this way, your **being here** this evening **confirms your right to form and communicate an autonomous judgment**, to demonstrate why you think something is true or not, and you should be free to do this without coercion and fear. These are your rights of free expression, but they are, perhaps even more importantly, your rights to education, which involves the freedom to hear, to read and to consider any number of viewpoints as part of an ongoing public deliberation on this issue. Your presence here, even **your support for the event**, **does not assume agreement** among us. There is no unanimity of opinion here; indeed, **achieving unanimity is not the goal.**

**Pedagogical spaces must be the starting point: the space for contestation requires a culture that educates agents to affirm it.**

Henry A. **Giroux 13,** 12-17-2013, "Henry A. Giroux," Truthout, http://www.truth-out.org/news/item/20669-radical-democracy-against-cultures-of-violence

**Radical democracy is rooted in an acceptance of its historicity and imperfectability, thus demanding** a **constant** measure of self-questioning, **criticism and critical engagement.** Such a democracy implies a refusal of an endpoint, final stage or end of history narrative. Instead, it stresses what Samir Amin has termed "democratization - which stresses the dynamic aspect of a still-unfinished process."[30] Inherent in such a democracy is the need for labor to be subordinate to free time, experienced as a luxury rather than a deprivation, thus demanding a society that provides a social wage, democratized workplaces, egalitarian social services, ecologically sustainable technologies, free education and crucial social provisions. Democracy in this sense embodies an unrelenting fidelity and obligation not to perfectibility but to justice and an endless responsibility, as Jacques Derrida insists, to "the ghosts of those who are not yet born or who are already dead."[31] **Matters of pedagogy must be central to any politics that embraces** a notion of **radical democracy. The agents necessary for** such a **radical democratic politics can only be constructed through a critical formative culture and public pedagogy** produced largely through the media, education and other cultural apparatuses **that enable people to be effective political and ethical agent who can think critically, communicate to broader publics, and will organize collectively to implement and fight for a radical vision of democracy. There is nothing that guarantees** the existence of a sustainable **radical democracy. Democracy** in all of its forms **has to be** fought for, **struggled over**, and such struggles have to be relentless **because** of the possibility that **democracy can never guarantee its own existence.**[32] The struggle against casino capitalism must begin as not only a struggle over power, but as a concerted and widespread attempt to make education central to politics, to address what it means to change the way in which people see things, learn how to govern rather than be governed, and embrace a collective sense of agency in which history and the future is open.

**Impacts:**

**A. Controls the internal link to all K alts and radical politics – the ability to speak out and fight for particular reforms is guaranteed by the agonistic mindset – alternatives shut down the collective ability to communicate to others to advance that agenda.**

**B. Coopts the prefiat layer – debate is an educational space that has educational norms attached to it. The argument for agonistic inclusion appeals on both layers, so instead of call-out culture, their arguments should just deny the truth of the aff.**

**C. Justifies switch-side debate: it advances tolerance and makes debaters better at understanding alternative views.**

**Harrigan 8** (Casey, Associate Director of Debate at UGA, Master’s in Communications – Wake Forest U., “A Defense of Switch Side Debate”, Master’s thesis at Wake Forest, Department of Communication, May, pp.43-45

Even when limited to such a narrow realm of diversity, argumentative pluralism holds great promise for a politics based on understanding and accommodation that runs contrary to the dominant forces of economic, political, and social exclusion. **Pluralism requires that individuals acknowledge opposing beliefs and** arguments **by forcing an understanding that personal convictions are not universal.** Instead of blindly asserting a position as an “objective Truth,” advocates tolerate a multiplicity of perspectives, allowing a more panoramic understanding of the issue at hand (Mitchell and Suzuki 2004, p. 10). In doing so, the advocates frequently understand that there are persuasive arguments to be had on both sides of an issue. As a result, instead of advancing a cause through moralistic posturing or appeals to a falsely assumed universality (which, history has shown, frequently become justifications for scape-goating and exclusion), these proponents become purveyors of reasoned arguments that attempt to persuade others through deliberation. **A clear example** of this **occurs in competitive academic debate**. Switch-side debating has profound implications for pluralism. Personal convictions are supplemented by conviction in the process of debate. Instead of being personally invested in the truth and general acceptance of a position, debaters use arguments instrumentally, as tools, and as pedagogical devices in the search for larger truths. Beyond simply recognizing that more than one side exists for each issue, switch-side debate advances the larger cause of equality by fostering tolerance and empathy toward difference. Setting aside their own “ego-identification,” **students** realize that they **must listen and understand their opponent’s arguments well enough to become advocates on behalf of them in future debates** (Muir 1993, p. 289). Debaters assume the position of their opponents and understand how and why the position is constructed as it is. **As a result, they often come to understand that a strong case exists for opinions that they previously disregarded.** Recently, advocates of **switch side debating** have taken the case of **the practice** a step further, arguing that it, “**originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes**” (English, Llano, Mitchell, Morrison, Rief and Woods 2007, p. 224). Debating practices that break down exclusive, dogmatic views may be one of the most robust checks against violence in contemporary society.

**So, role of the ballot is to evaluate the truth or falsity of the resolution using post-fiat offense through the lens of the framework.**

**Next, censorship is an abysmal political strategy –**

**First, backlash – the attempt to close political space is always imperfect and engenders resistance – censoring speech doesn’t change minds but redirects them – that threatens institutions and leaves supporters less prepared to defend their gains. Resistance to abortion proves.**

Bonnie **Honig 93**, Nancy Duke Lewis Professor in the departments of Modern Culture and Media (MCM) and Political Science at Brown, 4-15-1993, "Political Theory And The Displacement Of Politics," Cornell University Press.

**The perpetuity of contest is not easy to celebrate. My** own **afﬁrmation** of it **is animated**, not by the benighted teleological belief that politically active lives are necessarily fuller or more meaningful than their alternatives, but **by my conviction that the displacement of politics** with law or administration **engenders remainders that could disempower and perhaps even undermine democratic institutions and citizens.** The US. Supreme Court’s recent decision in Planned Parenthood of Southeastern Pennsylvania v. Carey supplied compelling new justiﬁcations for a woman's right to control her sexuality and reproductive freedom, but it also endorsed new restrictions on that right. **When a woman’s right to choose was ﬁrst recognized in** 1973 by a very different Court in **Roe v. Wade, many** citizens **celebrated the** Court‘s **decision as the end of a battle. Those opposed** to the decision, **however, vowed to roll back Roe v. Wade and. nineteen years later, they** have **had great success.**6 **The battle is being refought** in the Court and in the state houses. **Those who thought it was won in 1973 were surprised** by this sequence of events. **Many assumed that, once juridically recognized, the right** to abort a pregnancy **would never be returned to** the space of **political contest. In the past two decades they went on to ﬁght other battles, doing relatively little to mobilize citizens and communities to protect and stabilize this new right, leaving pro-life organizations relatively free to repoliticize and redeﬁne the issues.** In response to the juridical settlement of a woman's right to choose, pro-lifers focused on the fetus and the family and on the relations of obligation and responsibility that tie women to them. Soon abortion became known as baby killing. pro-choice became antifamily, and pregnant single women became icons of danger whose wanton, (literally) unregulated sexuality threatens the safety and the identity of the American family. These identities and identiﬁcations are not stable. But in the absence of resistance to them, they could be stabilized. That realization has energized pro-choice citizens into action in the last few years. and the sites of the battle are proliferating. ¶ These observations are by no means meant to imply that it would be better not to entrench a woman's right to terminate a pregnancy—that is a different debate, one that turns on considerations of political strategy and equal justice. My point is that **there is a lesson to be learned from the experience of those who misread Roe** as the end of a battle **and later found themselves ill equipped and unprepared** to stabilize and secure their still unstable rights **when they were repoliticized and contested by their opponents. In their mistaken belief that the agon had been successfully shut down** by law, **pro-choice citizens** ceded the agon to their opponents and **found**, years later, **that the terms of the contest had shifted against them. Disempowered by their belief that the law had settled the issue without remainder, they failed to engage the concerns of moderate citizens who harbored doubts about the morality of abortion, leaving them and their doubts to be mobilized and radicalized by those who had no doubts about the practice‘s immorality and who were determined to see it outlawed again.**7 ¶ **To afﬁrm the perpetuity of contest is** not to celebrate a world without points of stabilization; it is **to afﬁrm** the **reality** of perpetual contest. even within an ordered setting, and to identify the afﬁrmative dimensions of contestation. It is to see that **the always imperfect closure of political space tends to engender remainders and** that, **if** those remainders are **not engaged, they may return to haunt and destabilize the very closures that deny their existence.** It is to treat rights and law as a part of political contest rather than as the instruments of its closure It is to see that attempts to shut down the agon perpetually fail, that the best (or worst) they do is to displace politics onto other sites and topics, where the struggle of identity and difference, resistance and closure, is then repeated.8 These are the platforms of a virtu) theory of politics

**Second, speech codes are clear policy failures – they don’t decrease bigotry, but they’re used against those they’re seeing to help.**

Conor **Friedersdorf 15**, 12-10-2015, "The Lessons of Bygone Free-Speech Fights," Atlantic, http://www.theatlantic.com/politics/archive/2015/12/what-student-activists-can-learn-from-bygone-free-speech-fights/419178/

He was writing after the University of **Michigan**, the University of **Wisconsin**, **and Stanford implemented speech codes targeted at racist and sexist speech.** These were efforts to respond to increasing diversity on campuses, where a number of students spewed racist and sexist speech that most everyone in this room would condemn. But **those** speech codes **were policy failures. There is no evidence that hate speech or bigotry decreased on any campus that adopted them. At Michigan**, the speech code was analyzed by Marcia Pally, a professor of multicultural studies, who found that “**black students were accused of racist speech in almost 20 cases. Students were punished only twice** under the code’s anti-racist provisions, **both times for speech by or on behalf of blacks.**”

**Third, retargeting – people with the ideologies you want to censor are still out there and use the censorship apparatus against you to advance their aims and suppress your speech.**

Bart **Cammaerts 9**, London School of Economics and Political Science, England, 11-2009, "Radical pluralism and free speech in online public spaces," International Journal of Cultural Studies, http://eprints.lse.ac.uk/27895/1/Radical\_pluralism\_and\_free\_speech\_in\_online\_public\_spaces\_(LSERO).pdf

Internet filtering and monitoring remain technical and policy options when it comes to combating hate speech on the internet. However, active **censorship** in a democracy **tends to backfire**s in several ways. In relation to this case study, it could be argued that democracy might lose out in two ways. **First, anti-democratic forces are able to construct democratic parties and institutions as ‘undemocratic’** on a continuous basic, claiming that they suppress ‘the true thoughts of the people’, **using** in effect **the formal rules of democracy to destroy democratic culture** arguing for a democratic right to be a racist. **Second, how to guarantee that once a regime of content control** online **is in place, it will not be used to silence other voices that at some future moment in time are considered** to be **undesirable by a majority?** And do we really want content on the internet controlled, monitored and filtered on a permanent basis? This is, however, by no means a plea for complacency and/or ignorance, but to carefully think through the implications of intervention to exclude voices from public spaces of communication and interaction all together. Efforts to combat the incitement of hatred through democratic and legal ways should be encouraged, ‘in order to to secure a minimum of civility’ (Rosenfeld, 2001: 63). Exposure in the mainstream media of those that produce such discourses and formal legal complaints by racism watchdogs are important and fairly effective tools for achieving that (except when anonymity is invoked). The embracement of censorship of online content by democratic societies in addition to this, would not only represent crossing the rubicon, but also focuses merely on removing some of the symptoms of racism, not the root causes of it.

**UC proves – government interests aggressively pushed anti-BDS speech codes. They become political pawns and give more influence to the people in charge**

Conor **Friedersdorf 16** (a staff writer at The Atlantic, where he focuses on politics and national affairs; the founding editor of The Best of Journalism) “The Glaring Evidence That Free Speech Is Threatened on Campus” The Atlantic, March 4, 2016. http://www.theatlantic.com/politics/archive/2016/03/the-glaring-evidence-that-free-speech-is-threatened-on-campus/471825/

Or forget big speeches and look to another example of left-leaning speech that is threatened. As Glenn Greenwald wrote at The Intercept, “One of the most dangerous threats to campus free speech has been emerging at the highest levels of **the U**niversity of **C**alifornia **system**, the sprawling collection of 10 campuses that includes UCLA and UC Berkeley. The university’s **governing Board of Regents, with the support of University President** Janet **Napolitano and egged on by the state**’s **legislature**, **has been attempting to adopt new speech codes that**—**in the name of combating ‘anti-Semitism’**—**would formally ban various forms of Israel criticism.”** He continued: Under the most stringent such regulations, **students found** to be **in violation of these codes would face suspension or expulsion. In July, it appeared that the Regents were poised to enact the most extreme version, but decided** instead **to push the decision off** until September, when they instead would adopt non-binding guidelines to define “hate speech” and “intolerance.” **One of the Regents most vocally advocating for the most stringent version** of the speech code **is Richard Blum, the multi-millionaire defense contractor** who is **married to Sen.** Dianne **Feinstein** of California. At a Regents meeting last week, reported the Los Angeles Times, **Blum expressly threatened that Feinstein would publicly denounce the university if it failed to adopt far more stringent standards** than the ones it appeared to be considering, and specifically demanded they be binding and contain punishments for students found to be in violation. The San Francisco Chronicle put it this way: “Regent Dick Blum said his wife, U.S. Sen. Dianne Feinstein, D-Calif., ‘is prepared to be critical of this university’ unless UC not only tackles anti-Jewish bigotry but also makes clear that perpetrators will be punished.” The lawyer Ken White wrote that “Blum threatened that his wife … would interfere and make trouble if the Regents didn’t commit to punish people for prohibited speech.” As campus First Amendment lawyer Ari Cohn put it the following day, “Feinstein and her husband think college students should be expelled for protected free speech.”

## AC v1

**Framework**

**Ethical deduction fails and political questions are undecidable – individuals instead construct systems of meaning and value from their own perspective.**

**Parrish**, Rick. "Derrida's economy of violence in Hobbes' social contract." Theory & Event 7.4 (2005).

The point, as Richard Beardsworth (one of Derrida’s most noteworthy commentators) explains, is that “**a decision is always needed because there is no natural status to language, and** that **given this irreducibility** of a decision, **there are different** kinds of **decisions** — those that recognize their legislative and executive force and those which hide it under some claim to naturality qua ‘theory’ or ‘objective science’.”22 In the first case the person recognizes and embraces its status as a creator of meaning, but in the second case the person more closely resembles Nietzsche’s scientific ascetic who, while still a person and thus a creator, denies his nature and instead claims to discover fact. But in either event, **a person** “**is always** . . . a legislator and policeman,”23 a **creator and subsequent enforcer of its creations of meaning and value.** So for Derrida, any discursive positioning is the outcome of an ordeal of the undecidable that is itself necessary because there is no objective, transparently discoverable truth. Rather, persons exist as the choosers, the creators, of discursive positionality (meaning; value). Violence is then the unavoidable denial of the other as a source of meaning independent of oneself. Derrida argues that both pure violence and pure non-violence are paradoxical, but before explaining this point I shall lay out why Hobbes agrees that humans are the creators of meaning and value, and proceed from there. Perhaps the single most telling quote from Hobbes on this point comes from The Philosophical Rudiments Concerning Government and Society (usually known by its Latin name, De Cive), in which he states that “to know truth, is the same thing as to remember that it was made by ourselves by the very usurpation of the words.”24 “For Hobbes truth is a function of logic and language, not of the relation between language and some extralinguistic reality,”25 so the “**connections between names and objects are not natural**.”26 **They are artificially constructed by persons, based on individual** psychologies and **desires**. These individual desires are for Hobbes the only measure of good and bad, because value terms “are ever used with relation to the person that useth them, there being nothing simply and absolutely so, nor any common rule of good and evil to be taken from the nature of the objects themselves.”27 Since “there are no authentical doctrines concerning right and wrong, good and evil,”28 **these labels are** placed upon things by humans in **acts of creation rather than discovered as extrinsic facts.**

This outweighs other framework warrants because it questions the conditions needed for ethical rules to apply in the first place. My framework contests a critical presupposition of their framework link chain and derivation of any ethical system.

**But, the resolution is a question of politics – the ultimate end of politics is enabling individuals to live together in a society. This contradiction dooms theories of deliberative democracy but doesn’t destroy the possibility of democratic politics altogether: the solution is agonism.**

Chantal **Mouffe 10 \*bracketed for gendered language\***, political theorist, 7-25-2010, "Chantal Mouffe: Agonistic Democracy and Radical Politics," Pavilion #15, http://pavilionmagazine.org/chantal-mouffe-agonistic-democracy-and-radical-politics/

One of the principal theses that I have defended in my work is that properly **political questions always involve decisions which require a choice between alternatives that are undecidable from a strictly rational point of view.** This is something the liberal theory cannot admit due to the inadequate way it envisages pluralism. The **liberal theory** recognises that we live in a world where a multiplicity of perspectives and values coexist and, for reasons it believes to be empirical, accepts that it is impossible for each of us to adopt them all. But it **imagines that these perspectives and values**, brought together, **constitute a harmonious** and non-conflictual **ensemble. This** type of thought **is** therefore **incapable of accounting for the necessarily conflictual nature of pluralism, which stems from the impossibility of reconciling all points of view,** and it is what leads it to negate the political in its antagonistic dimension. ¶ I myself argue that **only by taking account of the political in its dimension of antagonism can one grasp the challenge democratic politics must face. Public life will never be able to dispense with antagonism for it concerns public action and** the formation of **collective identities. It attempts to constitute a ‘we’ in a context of diversity and conflict. Yet,** in order **to constitute a ‘we’, one must distinguish it from a ‘they’.** Consequently, **the crucial question of democratic politics is** not to reach a consensus without exclusion which would amount to creating a ‘we’ without a corollary ‘they’ but **to manage to establish the we/they** discrimination **in a manner compatible with pluralism.** ¶ According to the ‘agonistic pluralism’ model that I developed in The Democratic Paradox (London: Verso, 2000) and On the Political (London: Routledge, 2005), **pluralist democracy is characterised by the introduction of a distinction between the categories of enemy and adversary. This means** that **within the** ‘we’ that constitutes the **political community, the opponent is not** considered **an enemy to be destroyed but an adversary whose existence is legitimate.** His **[Their] ideas will be fought with vigour but [their]**his **right to defend them will never be questioned. The category of enemy** does not disappear, however, for it **remains** pertinent **with regard to those who,** by **question**ing **the** very **principles of pluralist democracy, cannot form part of the agonistic space.** With the distinction between antagonism (friend/enemy relation) and agonism (relation between adversaries) in place, we are better able to understand why the **agonistic confrontation**, far from representing a danger for democracy, **is** in reality **the very condition of its existence.** Of course, democracy cannot survive without certain forms of consensus, relating to adherence to the ethico-political values that constitute its principles of legitimacy, and to the institutions in which these are inscribed. But it must also enable the expression of conflict, which requires that citizens genuinely have the possibility of choosing between real alternatives.

**Thus, the standard is consistency with agonistic democracy.**

**Prefer the standard:**

**1. Violence is necessary and inevitable – ethical theories must organize rather than inhibit it, since otherwise we could conceptualize nothing at all, doing even greater violence.**

**Hagglund**, Martin. 2006. “The Necessity of Discrimination: Disjoining Derrida and Levinas.” diacritics 34 (1): 40–71.

The utopian dream of peace pervades Cornell's book and is symptomatic of her misconception of the deconstructive thinking of alterity. As I have argued, **the notion of a nonviolent relation to the other is based on a suppression of alterity, since it must presuppose that the other is not violent in** its **[re]turn and consequently denies the radical unpredictability of the other**. Only if one assumes that the other is primarily peaceful does it 5 sense to prescribe a nonviolent relation, since the command to "respect" the alterity of the other does not make any sense if the other wants to destroy me. More? over, **the dream of a community without violence is the dream of a community in which there would be nothing other than peace, excluding anyone or anything that does not want to engage in the "ethical" relation. Hence, the supposedly ethical dream is unethical on its own terms, since it dreams of eliminat[es]ing the susceptibility to radical alterity, which cannot be dissociated from the susceptibility to violence and the concomitant attempts to combat it.** It is only by coming to terms with the deconstructive "logic" of violence that one can assess the ethico-political significance of deconstruction**. The deconstructive logic of violence does not prevent one from criticizing social injustices or any other forms of violence, but it exposes the internal contradictions of the doctrines that hold it to be desirable to eliminate exclusion once and for all. Discrimination is a constitutive condition.** The negotiation of it cannot be governed by a regulative idea or harbor any assurance of its own legitimacy. For precisely this reason **it will always be urgent to reflect on ethico-political questions, to work out strategies for a "lesser violence" that is essentially precarious.** Those who, like Levinas, proceed from metaphysical premises of how things ought to be will in one way or another attempt to deny this predicament for the benefit of one ideal or another. But the argument here is that one thereby blinds oneself to the condition that makes responsibility possible, while at the same time making it impossible to sustain the metaphysical values and ethico-theoretical decisions by which Levinas lets himself be guided.

Implications: **A.** Means the framework is true because it simply creates an organized structure for discussion. **B.** Takes out ideal theory frameworks because they work under the wrong model: they try to eliminate all violence instead of trying to organize it.

**2. Agonism is the best mode of inclusion and outweighs exclusionary attitudes within the agon. This is also true of switch-side debate too – this model resists fundamentalism and helps change people’s minds.**

**Harrigan 8** (Casey, Associate Director of Debate at UGA, Master’s in Communications – Wake Forest U., “A Defense of Switch Side Debate”, Master’s thesis at Wake Forest, Department of Communication, May, pp.43-45

The relevance of argumentation for advancing tolerant politics cannot be underestimated. The **willingness to be open to alternative views has a material impact on difference** in at least two primary ways. First, the **rendering of a certain belief as “off limits” from debate** and the prohibition of ideas from the realm of contestation **is** conceptually **indistinct from the physical exclusion of people from societal practices**. Unlike racial or gendered concerns, certain groups of **people** (the religious, minority political parties, etc.) **are defined** almost exclusively **by the arguments that they adhere to. To deem these views unspeakable** or irrelevant **is to** functionally **deny whole groups of people access to public deliberation**. Second, **argument**, as individual advocacy, is an expression of belief. **It has the potential to persuade members of the public to** either **support or oppose progressive politics.** Belief itself is an accurate indicator of the way individuals will chose to act—with very real implications for openness, diversity and accommodation. Thus, as a precursor to action, argument is an essential starting point for campaigns of tolerance. Argumentative pluralism can be defined as the proper tolerance for the expression of a diversity of ideas (Scriven 1975, p. 694). Contrary to monism, pluralism holds that there are many potential beliefs in the world and that each person has the ability to determine for himself or herself that these beliefs may hold true. Referring back to the opening examples, a pluralist would respect the right for the KKK to hold certain beliefs, even if he or she may find the group offensive. In the argumentative context, pluralism requires that participants to a debate or discussion recognize the right of others to express their beliefs, no matter how objectionable they may be. The key here is expression: although certain beliefs may be more “true” than others in the epistemic sense, each should have equal access (at least initially) to forums of deliberation. It is important to distinguish pluralism from its commonly confused, but only loosely connected, counterpart, relativism. To respect the right of others to hold different beliefs does not require that they are all considered equal. Such tolerance ends at the intellectual level of each individual being able to hold their own belief. Indeed, as Muir writes, “It [pluralism] implies neither tolerance of actions based on those beliefs nor respecting the content of the beliefs” (288). Thus, while a pluralist may acknowledge the right for the Klan to hold exclusionary views, he or she need not endorse racism or anti-Semitism itself, or the right to exclude itself. Even when limited to such a narrow realm of diversity, argumentative pluralism holds great promise for a politics based on understanding and accommodation that runs contrary to the dominant forces of economic, political, and social exclusion. **Pluralism requires that individuals acknowledge opposing beliefs and** arguments **by forcing an understanding that personal convictions are not universal.** Instead of blindly asserting a position as an “objective Truth,” advocates tolerate a multiplicity of perspectives, allowing a more panoramic understanding of the issue at hand (Mitchell and Suzuki 2004, p. 10). In doing so, the advocates frequently understand that there are persuasive arguments to be had on both sides of an issue. As a result, instead of advancing a cause through moralistic posturing or appeals to a falsely assumed universality (which, history has shown, frequently become justifications for scape-goating and exclusion), these proponents become purveyors of reasoned arguments that attempt to persuade others through deliberation. **A clear example** of this **occurs in competitive academic debate**. Switch-side debating has profound implications for pluralism. Personal convictions are supplemented by conviction in the process of debate. Instead of being personally invested in the truth and general acceptance of a position, debaters use arguments instrumentally, as tools, and as pedagogical devices in the search for larger truths. Beyond simply recognizing that more than one side exists for each issue, switch-side debate advances the larger cause of equality by fostering tolerance and empathy toward difference. Setting aside their own “ego-identification,” **students** realize that they **must listen and understand their opponent’s arguments well enough to become advocates on behalf of them in future debates** (Muir 1993, p. 289). Debaters assume the position of their opponents and understand how and why the position is constructed as it is. **As a result, they often come to understand that a strong case exists for opinions that they previously disregarded.** Recently, advocates of **switch side debating** have taken the case of **the practice** a step further, arguing that it, “**originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes**” (English, Llano, Mitchell, Morrison, Rief and Woods 2007, p. 224). Debating practices that break down exclusive, dogmatic views may be one of the most robust checks against violence in contemporary society.

**Impacts:**

**A. The role of the ballot is to evaluate the truth or falsity of the resolution using post-fiat offense through the lens of the framework. Turns and outweighs all other role of the ballot since we benefit by including those attitudes, for which agonism is best.**

**B. Coopts the prefiat layer – the arguments for agonistic inclusion apply on both layers, which means instead of appeals to call-out culture, their arguments should be framed in terms of denying the affs claims and proving the rez false.**

**3. Only a radical democracy that constantly questions its own foundations can ever be open to radical revision – other systems insist on their own foundation even when that’s exclusionary or illegitimate. The aff is a better model for constructing a political institution that must secure its own legitimacy over time and to changing groups of citizens. This means that even if the neg proves their framework or role of the ballot true the aff framework still comes first because allowing for a radical democracy means that their evaluative mechanism is used in a more effective manner.**

**Contention**

**1. The struggle for radical democracy must center pedagogy – the democratic sphere is maintained by creating a culture of agents that affirm it.**

Henry A. **Giroux 13,** 12-17-2013, "Henry A. Giroux," Truthout, http://www.truth-out.org/news/item/20669-radical-democracy-against-cultures-of-violence

**Radical democracy is rooted in an acceptance of its historicity and imperfectability, thus demanding** a **constant** measure of self-questioning, **criticism and critical engagement.** Such a democracy implies a refusal of an endpoint, final stage or end of history narrative. Instead, it stresses what Samir Amin has termed "democratization - which stresses the dynamic aspect of a still-unfinished process."[30] Inherent in such a democracy is the need for labor to be subordinate to free time, experienced as a luxury rather than a deprivation, thus demanding a society that provides a social wage, democratized workplaces, egalitarian social services, ecologically sustainable technologies, free education and crucial social provisions. Democracy in this sense embodies an unrelenting fidelity and obligation not to perfectibility but to justice and an endless responsibility, as Jacques Derrida insists, to "the ghosts of those who are not yet born or who are already dead."[31] **Matters of pedagogy must be central to any politics that embraces** a notion of **radical democracy. The agents necessary for** such a **radical democratic politics can only be constructed through a critical formative culture and public pedagogy** produced largely through the media, education and other cultural apparatuses **that enable people to be effective political and ethical agent who can think critically, communicate to broader publics, and will organize collectively to implement and fight for a radical vision of democracy. There is nothing that guarantees** the existence of a sustainable **radical democracy. Democracy** in all of its forms **has to be** fought for, **struggled over**, and such struggles have to be relentless **because** of the possibility that **democracy can never guarantee its own existence.**[32] The struggle against casino capitalism must begin as not only a struggle over power, but as a concerted and widespread attempt to make education central to politics, to address what it means to change the way in which people see things, learn how to govern rather than be governed, and embrace a collective sense of agency in which history and the future is open.

**Turns and outweighs Ks: They question what the focus of our pedagogy should be but Giroux proves that radical democracy is a necessary starting point for this which means it comes first.**

**Discourse in academic spaces is agonistic – it doesn’t aim at agreement. The principle of academic freedom enables individuals to make their own decisions and makes the university consistent with democratic culture.**

Judith **Butler 13,** 2-7-2013, professor in the Rhetoric and Comparative Literature department at UC Berkeley. She is the author of several books on feminist theory, continental philosophy and contemporary politics, "Judith Butler’s Remarks to Brooklyn College on BDS," Nation, https://www.thenation.com/article/judith-butlers-remarks-brooklyn-college-bds/

**The principle of academic freedom is designed to make sure that powers outside the university**, **including government and corporations**, **are not able to control the curriculum or intervene** in extra-mural speech. It not only bars such interventions, but **it** also **protects** those **platforms in which we might be able to reflect together on the most difficult problems. You can judge for yourself whether or not my reasons** for lending my support to this movement **are good ones. That is,** after all, **what academic debate is about. It is also what democratic debate is about, which suggests that open debate** about difficult topics **functions as a meeting point between democracy and the academy.** Instead of asking right away whether we are for or against this movement, perhaps we can pause just long enough to find out what exactly this is, the Boycott, Divestment and Sanctions movement, and why it is so difficult to speak about this. I am not asking anyone to join a movement this evening. I am not even a leader of this movement or part of any of its governing committee, even though the New York Times tried to anoint me the other day—I appreciated their subsequent retraction, and I apologize to my Palestinian colleagues for their error. The movement, in fact, has been organized and led by Palestinians seeking rights of political self-determination, including Omar Barghouti, who was invited first by the Students for Justice in Palestine, after which I was invited to join him. At the time I thought it would be very much like other events I have attended, a conversation with a few dozen student activists in the basement of a student center. So, as you can see, I am surprised and ill-prepared for what has happened. Omar will speak in a moment about what the BDS movement is, its successes and its aspirations. But I would like briefly to continue with the question, **what precisely are we doing** here this evening**? I presume that you came to hear what there is to be said**, **and** so to **test your preconceptions against what some people have to say, to see whether your objections can be met and your questions answered. In other words, you come here to exercise critical judgment, and if the arguments you hear are not convincing, you will be able to cite them, to develop your opposing view and to communicate that as you wish**. In this way, your **being here** this evening **confirms your right to form and communicate an autonomous judgment**, to demonstrate why you think something is true or not, and you should be free to do this without coercion and fear. These are your rights of free expression, but they are, perhaps even more importantly, your rights to education, which involves the freedom to hear, to read and to consider any number of viewpoints as part of an ongoing public deliberation on this issue. Your presence here, even **your support for the event**, **does not assume agreement** among us. There is no unanimity of opinion here; indeed, **achieving unanimity is not the goal.**

**2. Censorship imperils the conditions of public discourse – it turns speech into a weapon. If we conceive of speech as a potential tool of aggression, we cannot allow for and nurture disagreement. Single-issue PICs all require this shift in mindset, so they fail.**

Judith **Butler 13,** 2-7-2013, professor in the Rhetoric and Comparative Literature department at UC Berkeley. She is the author of several books on feminist theory, continental philosophy and contemporary politics, "Judith Butler’s Remarks to Brooklyn College on BDS," Nation, https://www.thenation.com/article/judith-butlers-remarks-brooklyn-college-bds/

And yet **all of us** here **have to distinguish between the right to listen to a point of view and the right to concur or dissent from that point of view; otherwise, public discourse is destroyed by censorship.** I wonder, what is the fantasy of speech nursed by the censor? There must be enormous fear **behind the drive to censorship,** but also **enormous aggression, as if we were** all **in a war where speech has** suddenly **become artillery. Is there another way to approach language and speech as we think about this issue?** Is it possible that **some other use of words might forestall violence, bring about a general ethos of non-violence, and so enact**, and open onto, **the conditions for a public discourse that welcomes and shelters disagreement, even disarray?**

**3. The attempt to close political space is always imperfect and engenders resistance – censoring speech doesn’t change minds but redirects them – that threatens institutions and leaves supporters less prepared to defend their gains. Resistance to abortion proves.**

Bonnie **Honig 93**, Nancy Duke Lewis Professor in the departments of Modern Culture and Media (MCM) and Political Science at Brown, 4-15-1993, "Political Theory And The Displacement Of Politics," Cornell University Press.

**The perpetuity of contest is not easy to celebrate. My** own **afﬁrmation** of it **is animated**, not by the benighted teleological belief that politically active lives are necessarily fuller or more meaningful than their alternatives, but **by my conviction that the displacement of politics** with law or administration **engenders remainders that could disempower and perhaps even undermine democratic institutions and citizens.** The US. Supreme Court’s recent decision in Planned Parenthood of Southeastern Pennsylvania v. Carey supplied compelling new justiﬁcations for a woman's right to control her sexuality and reproductive freedom, but it also endorsed new restrictions on that right. **When a woman’s right to choose was ﬁrst recognized in** 1973 by a very different Court in **Roe v. Wade, many** citizens **celebrated the** Court‘s **decision as the end of a battle. Those opposed** to the decision, **however, vowed to roll back Roe v. Wade and. nineteen years later, they** have **had great success.**6 **The battle is being refought** in the Court and in the state houses. **Those who thought it was won in 1973 were surprised** by this sequence of events. **Many assumed that, once juridically recognized, the right** to abort a pregnancy **would never be returned to** the space of **political contest. In the past two decades they went on to ﬁght other battles, doing relatively little to mobilize citizens and communities to protect and stabilize this new right, leaving pro-life organizations relatively free to repoliticize and redeﬁne the issues.** In response to the juridical settlement of a woman's right to choose, pro-lifers focused on the fetus and the family and on the relations of obligation and responsibility that tie women to them. Soon abortion became known as baby killing. pro-choice became antifamily, and pregnant single women became icons of danger whose wanton, (literally) unregulated sexuality threatens the safety and the identity of the American family. These identities and identiﬁcations are not stable. But in the absence of resistance to them, they could be stabilized. That realization has energized pro-choice citizens into action in the last few years. and the sites of the battle are proliferating. ¶ These observations are by no means meant to imply that it would be better not to entrench a woman's right to terminate a pregnancy—that is a different debate, one that turns on considerations of political strategy and equal justice. My point is that **there is a lesson to be learned from the experience of those who misread Roe** as the end of a battle **and later found themselves ill equipped and unprepared** to stabilize and secure their still unstable rights **when they were repoliticized and contested by their opponents. In their mistaken belief that the agon had been successfully shut down** by law, **pro-choice citizens** ceded the agon to their opponents and **found**, years later, **that the terms of the contest had shifted against them. Disempowered by their belief that the law had settled the issue without remainder, they failed to engage the concerns of moderate citizens who harbored doubts about the morality of abortion, leaving them and their doubts to be mobilized and radicalized by those who had no doubts about the practice‘s immorality and who were determined to see it outlawed again.**7 ¶ **To afﬁrm the perpetuity of contest is** not to celebrate a world without points of stabilization; it is **to afﬁrm** the **reality** of perpetual contest. even within an ordered setting, and to identify the afﬁrmative dimensions of contestation. It is to see that **the always imperfect closure of political space tends to engender remainders and** that, **if** those remainders are **not engaged, they may return to haunt and destabilize the very closures that deny their existence.** It is to treat rights and law as a part of political contest rather than as the instruments of its closure It is to see that attempts to shut down the agon perpetually fail, that the best (or worst) they do is to displace politics onto other sites and topics, where the struggle of identity and difference, resistance and closure, is then repeated.8 These are the platforms of a virtu) theory of politics

Turns hate speech arguments: If that type of speech is censored there is a greater opportunity for hateful *acts*, which outweigh because they are more likely to cause material harm.

Impact calc: a) The quality and quantity of discourse must be judged by community members, not by the universities because the framework only cares about what the individuals within the agonistic structure think. This takes out hate speech arguments and any other argument claiming that certain types of speech are bad because only the community members can decide that. b) The aff is try or die because the framework requires proactive political actions to solve: sitting back and doing nothing only allows for greater violence. **Hagglund:**

Deconstruction cannot teach us what the “lesser violence” is in any given case. On the contrary, deconstruction spells out why the question of violence remains forever un- decidable. **The supposed lesser violence may always be more violent than the violence it opposes, and there can be no end to** the **challenges that stem from the impossibility of calculation.** Derridaʼs argument here is neither negative nor positive; it neither deplores nor celebrates the constitutive violence. Rather, it accounts for violence as the condi- tion for both the desirable *and* the undesirable. Due to the economy of violence, **there is always the possibility of less violence** (and the risk of more violence). **Otherwise there** would be no politics in the first place. If therewere not the chance of less violence (and the threat of more violence) there **would be no reason to engage in political struggle, since nothing could ever be changed.**13

A possible objection here is that we must strive toward an ideal origin or end, an *arkhe* or *telos* that would prevail beyond the possibility of violence. Even if every community is haunted by victims of discrimination and forgetting, we should try to reach a state of being that does not exclude anyone, namely, a consummated presence that includes everyone. However, it is precisely with such an “ontological” thesis that Derridaʼs hauntological thinking takes issue. At several places in *Specters of Marx* he maintains that a completely present life—which would not be “out of joint,” not haunted by any ghosts—would be nothing but a complete death.14 Derridaʼs point is not simply that a peaceful state of existence is impossible to realize, as if it were a desirable, albeit unattainable end. Rather, he challenges the very idea that absolute peace is desirable.